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Attorneys for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

DANICA LOVE BROWN, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

STORED VALUE CARDS, INC., d/b/a
NUMI FINANCIAL, and CENTRAL
NATIONAL BANK AND TRUST
COMPANY, ENID, OKLAHOMA, n/k/a
STRIDE BANK, N.A.,

Defendants.

Case No. 3:15-cv-1370-MO

**DECLARATION OF BRAD D. GOLDEN IN
OPPOSITION TO PLAINTIFFS' MOTION
FOR CERTIFICATION OF NATIONWIDE
EFTA CLASS**

**DECLARATION OF BRAD D. GOLDEN IN OPPOSITION TO PLAINTIFFS' MOTION
FOR CERTIFICATION OF NATIONWIDE EFTA CLASS**

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Brad D. Golden states:

1. I am the President of Stored Value Cards, Inc., d/b/a Numi Financial (“Numi”). I make this declaration based on personal knowledge and in opposition to plaintiffs’ motion for certification of a nationwide Electronic Fund Transfer Act (“EFTA”) class.

2. Numi is not a bank and does not issue debit cards. Rather, Numi is a program manager who partners with various banks to provide prepaid card program management services to these banks. These prepaid card programs are used by correctional facilities.

3. Defendant Central National Bank and Trust Company, n/k/a Stride Bank, N.A. (“CNB”) is the issuer of the Prestige Prepaid MasterCard that are the subject of this action. Those cards were issued subject to the terms and conditions found in CNB’s Cardholder Agreement.

4. CNB is separate from and not affiliated with Numi. CNB is also separate from and not affiliated with any of Numi’s other partner banks.

5. The Numi-CNB relationship was governed by a Prepaid Card Issuance Agreement effective June 14, 2013, which terminated effective March 31, 2016.

6. Different partner banks have different arrangements with Numi and with their cardholders. For example, some partner banks’ Cardholder Agreements contain arbitration agreements, while others do not.

7. Numi and CNB also have different arrangements with different correctional facilities based upon the specific preferences of those facilities as determined through RFPs and other public procurement processes. There are a number of different card programs that have been created to meet these procurement requirements, and all facilities do not offer the same program.

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Since there are multiple card programs that have been created to meet different facility requirements, not all cardholders are subject to the same fees.

8. Each correctional facility exclusively sets its own policies with respect to the return of its inmates' property. Each facility determines whether released inmates receive a card and under what circumstances, and no facility is required to either offer or mandate the return of inmate property on a prepaid card.

9. Numi recently undertook a survey of correctional facilities for which it was the program manager for prepaid cards issued by CNB to determine how the facility returned inmate trust funds to releasees. Among other things, Numi's survey determined whether a particular facility offered an option to releasees besides a prepaid card.

10. A true copy of the survey sent to facilities that issued CNB prepaid cards is attached as **Exhibit 1**.

11. A true copy of the survey results from each responding facility is attached as **Exhibit 2**.

12. Of the 138 facilities that responded to the survey, 122 (88.4%) offered alternatives to Numi's prepaid card (checks, cash, or in one instance, check and electronic funds transfer). Only 16 (11.6%) responding facilities offered a Numi prepaid card as the only option to return releasee trust funds.

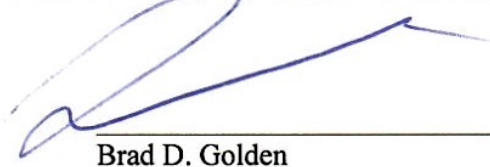
13. In addition, beginning in December 2016, Numi began offering a free check option to releasees to obtain the return of their trust funds.

14. In May/June 2019 in anticipation of the "2019 Prepaid Card" rule issued by the Consumer Financial Protection Board ("CFPB"), Numi instituted Signature Receipts pursuant to

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which releasees were required to request return of their inmate trust funds in writing if they wished to receive the return of their inmate trust funds on a Numi Prestige Prepaid Card. A true copy of the Signature Receipt is attached as **Exhibit 3**.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct, and that this declaration was executed on May 15, 2023, in Dana Point, California.



Brad D. Golden

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